

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 4 1991

Returned to applicant for correction

Corrected application filed Map filed FEB 4 1991 under 55730 T

The applicant Oxbow Geothermal Corporation
200 S. Virginia Street, Suite 400 of Reno City or Town
Nevada 89502 State and Zip Code No. hereby make application for permission to change the
Point of Diversion and Place of Use
of water heretofore appropriated under Permit 43050
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 3.25 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T.24N., R.37E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.M. or at a point from which the Northeast corner of said Section 7 bears N.25°
distance to a section corner. If on unsurveyed land, it should be stated.
26'E. a distance of 1906 feet (73A-7).
6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, T.24N., R.37E.,
If point of diversion is not changed, do not answer.
M.D.M. or at a point from which the Northeast corner of Section 6, T.24N., R.37E.,
M.D.M. bears N.21°01'38"E., a distance of 11695.1 feet (21-18).
7. Proposed place of use NE $\frac{1}{4}$ Section 7, T.24N., R.37E., M.D.M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use within Section 32, T.25N., R.37E., M.D.M.; Sections 4, 5, 6, 7, 8,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
17, 18, 19, 20, 21, T.24N., R.37E., M.D.M.; Sections 12, 13, 24, T.24N., R.36E.,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
M.D.M.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Geothermal production well and piping
State manner in which water is to be diverted, i.e. diversion structure,
to existing geothermal power plant.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$1 million
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is to be commingled with other applications for

for Oxbow's Dixie Valley Power Plant.

By s/Thomas A. Foote
5190 Neil Road, # 300
Reno, NV 89502

Compared pm/jm ap/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 43050 is issued subject to the terms and conditions imposed in said Permit 43050 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

There are to be no perforations in the well for at least the first 1500 feet. The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifer are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain other permits (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.25 cubic feet per second, but not to exceed 235 acre-feet per year consumptive use.

Work must be prosecuted with reasonable diligence and be completed on or before November 21, 1993

Proof of completion of work shall be filed before December 21, 1993

Application of water to beneficial use shall be made on or before November 21, 1994

Proof of the application of water to beneficial use shall be filed on or before December 21, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed

Proof of beneficial use filed

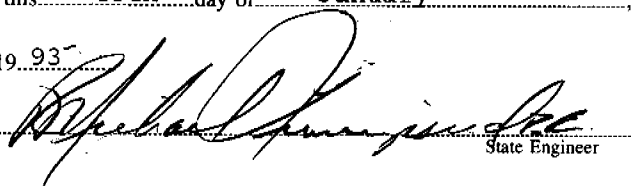
Cultural map filed

Certificate No. Issued

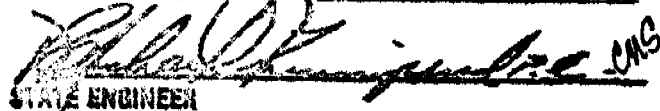
IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 25th day of January,

A.D. 1993


State Engineer

WITHDRAWN BY APPLICANT AUG 30 1996


STATE ENGINEER

(PERMIT TERMS CONTINUED)

from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid under this permit shall be limited to 2353 acre-feet per year but the total combined consumptive use of the geothermal fluid under Permits 41929, 46951, 47142, 47322, 47323, 48932, 48933, 48934, 48935, 49572, 49573, 49644, 49802, 49803, 50753, 51029, 51030, 51031, 51032, 51033, 51034, 51035, 51036, 52411, 52412, 52951, 55728, 55729 and 56604 shall not exceed 10,704 acre-feet annually. The State Engineer does not waive the right to make a determination of consumptive use at any time and impose additional conditions hereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.